

1 California, those peaks are from earthquakes.

2 Thank you.

3 MODERATOR MICHAELSON: Thank you very much.

4 Cheyanne Cook.

5 MS. COOK: Good evening, thank you. My name is
6 Cheyanne Cook, and I'm here on behalf of the Los Angeles
7 Area Chamber of Commerce. We have over 1,400 members and
8 employ over 700 employees within the greater Los Angeles
9 Region.

10 The Chamber of Commerce has long been supportive
11 of natural gas utilization as part of the solution to ensure
12 adequate energy supplies and improved air quality while we
13 also grow our economy.

14 In the Los Angeles Region the use of natural gas
15 as a clean energy source has been a key component of both
16 our clean air objectives, as well as our economic growth.

17 We also recognize that natural gas demand is
18 increasing, while domestic supplies are not. In this
19 regard, we do not wish to experience the energy shortages of
20 the past. That is why the Chamber strongly supports the
21 siting and approval of such needed LNG facilities that can
22 provide additional supplies of natural gas into Southern
23 California.

24 Thank you.

25 MODERATOR MICHAELSON: The next speaker is Duane

T004-16

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER T004-16

1 Harte.

2 MR. HARTE: Good evening, thank you for allowing
3 me to speak this evening.

4 My name is Duane Harte, and I'm currently the
5 Chairman of the Santa Clarita Valley Chamber of Commerce.
6 However, since the Chamber has not had the opportunity to
7 take an official stand on this issue, I'm speaking on my own
8 behalf and as a resident of Santa Clarita.

9 The first gas ever piped through Santa Clarita was
10 in the 1800s. It was off the oil fields in Pico Canyon.
11 That was the first gas, natural gas in California. We've
12 come a long way since the natural gas was piped from the oil
13 wells at our local, historic oil town, and for use within
14 that town, and not much else.

15 It's my understanding that over the next several
16 years the entire State of California will need additional
17 gas supplies. Currently, there are not enough pipelines
18 that can deliver the volumes that we will need. Thus, I
19 believe it makes sense to site an LNG facility that can
20 deliver needed volumes of natural gas to the State, but only
21 if it can be done safely and in an environmentally
22 responsible manner.

23 The new draft EIS/EIR seems to clearly indicate
24 the Cabrillo Port LNG facility can do this. The offshore
25 location, which will be moored almost 15 miles from the

T004-17

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER T004-17

1 nearest landfall, and 20 miles from populated areas,
2 protects against coastal development and also addresses
3 important public safety concerns.

4 Its location outside the shipping lanes, away from
5 marine mammal migratory patterns also protects against
6 possible impacts.

7 It includes technology that allows for completely
8 contained warming and cooling systems that do not utilize
9 any seawater in their processes, further protecting the
10 environment.

11 An additional plus is that it operates on clean
12 burning natural gas, as well as supply and service craft.

13 Additional pipelines can and should be installed
14 within the CEQA requirements and with the same environmental
15 consciousness used in planning the facility.

16 These are some of the important and
17 environmentally responsible elements included in the
18 Cabrillo Port project. Not only will this project supply
19 the much needed natural gas resources that are depended upon
20 by all of the business here, in Santa Clarita, but our
21 residents will be able to depend on those same resources,
22 also, and they will be provided safely and in an
23 environmentally sound manner.

24 Thank you.

25 MODERATOR MICHAELSON: Teresa Savaikie.

1 MS. SAVAIKIE: Good evening, thank you for the
2 opportunity to speak tonight.

3 My name is Teresa Savaikie, representing the
4 Center for Biological Diversity. We work to protect
5 endangered species and wild places through science, policy,
6 education, and environmental law.

7 The environmental impact report pertaining to this
8 proposed project has clearly been glossed over. The EIR
9 does not identify much in the way of biological impacts,
10 much less significant ones. This section of the EIR is
11 poorly and inadequately done. The EIR has taken an approach
12 wherein they only lay out possibilities now, and will search
13 for actualities later.

14 An EIR should clearly identify the impacts up
15 front, instead of deferring a proper assessment of impacts
16 into the future. Otherwise, this would allow them to get
17 all the way up to their problem before acknowledging that it
18 exists. That is wrong and not the purpose of an EIR.

19 As I stated before, the EIR does not adequately
20 address the biological resources of any of the areas through
21 which this will pass, nor does it adequately inform the
22 public about the potential for adverse effects upon
23 sensitive natural resources.

24 This EIR was prepared largely without field
25 studies, and by someone with marginal knowledge of the Santa

COMMENTER
T004-18

T004-18.1

T004-18.1

Subsequent to the completion of the October 2004 Draft EIS/EIR, the Applicant completed surveys of the pipeline rights-of-way in accordance with California Department of Fish and Game protocol. Surveys included a wetland delineation survey that meets the California Coastal Commission and California Department of Fish and Game wetland definition, botanical and wildlife surveys for Federal and State listed species, a wintering waterfowl survey, a burrowing owl survey, and surveys to determine whether any oak trees would need to be removed during construction. Section 4.8 has been updated with the results of these surveys, and Section 4.8.4 contains updated mitigation measures. Additional preconstruction plant and wildlife surveys, specific to the final construction timeline and designated pipeline alignment, would be completed for special status species, federally listed species, or California protected species specified by the USFWS or the CDFG, to minimize the potential for causing mortality of local wildlife. However, for purposes of the impact analyses and resultant mitigation, all relevant species are presumed to exist in the vicinity of the proposed Project.

T004-18.2

The Applicant has completed surveys in accordance with California Department of Fish and Game protocol. Where surveys were not completed, the EIS/EIR assumes the presence of any potentially affected species, evaluates potential impacts, and provides appropriate mitigation to avoid or sufficiently reduce potential impacts.

T004-18.2

1 Clarita area and the Santa Clara River and its resources.

2 The Center of Biological Diversity is very
3 concerned about the cumulative impacts to the Santa Clara
4 River, home to the endangered unarmored three spine
5 Stickleback Fish, and 11 other threatened and endangered
6 species.

7 The pipeline may be going through a proposed
8 critical habitat for the stickleback and proposed critical
9 habitat for the Arroyo Toad. The Stickleback does not occur
10 in this section of the river only occasionally, it occurs
11 here all year round, partly because it is supported by water
12 releases from the Valencia and Saugus treatment plants.

13 Further, this project lies in a significant
14 ecological area, designated by the County as such to support
15 and protect the unarmored three spine Stickleback.

16 However, as of today, CTAC, a board of scientists,
17 working with the County of Los Angeles, have not been
18 advised of the proposed project and, therefore, have not
19 reviewed it.

20 Many developers, city, county, State, and federal
21 agencies have stated that they aim to protect the Santa
22 Clara River. We don't believe that conservation means
23 putting in a potentially harmful infrastructure that
24 threatens the wildlife, the water for the Santa Clarita
25 Valley, that we all depend upon, and the safety of our

T004-18.3

The Project has been updated since the October 2004 Draft EIS/EIR. The proposed pipeline crossings of the Santa Clara River would either use bridges or horizontal directional drilling. Sections 2.7.2.1, 4.7.1, 4.7.4, and 4.20.3.8 contain additional information on this topic.

T004-18.4

Section 1.1 discusses regulations and agencies involved in the licensing and potential approval of the proposed Project. The USCG and MARAD will hold a final public hearing on the license with a 45-day comment period before the Federal Record of Decision is issued. The CSLC also will hold a hearing to certify the EIR and make the decision whether to grant a lease.

Section 1.5 contains additional information regarding public notification and opportunities for public comment.

T004-18.3

T004-18.4

1 citizens.

2 In closing, this EIR does not adequately address
3 the negative, cumulative impacts to the Santa Clara River.
4 In order to adequately address the cumulative impacts, a
5 long-term study must be conducted that looks at all the
6 combined development along the river, from the headwaters to
7 the ocean. Unfortunately, no such document exists anywhere
8 that accurately addresses the negative impacts to this
9 watershed.

10 Thank you.

11 MODERATOR MICHAELSON: Ms. Savaikie, is that a
12 statement that you could hand in, possibly?

13 MS. SAVAIKIE: No. I'm sorry, we're going to be
14 submitting --

15 MODERATOR MICHAELSON: Written comments?

16 MS. SAVAIKIE: Right.

17 MODERATOR MICHAELSON: Okay, thank you very much.

18 MS. SAVAIKIE: Thank you.

19 MODERATOR MICHAELSON: The next speaker is Forest
20 Williams. He'll be followed by Jillena Eifer, Sydell
21 Stokes, Larry Mankin, Alan Sanders, and Michelle Hoffman.

22 Mr. Williams.

23 MR. WILLIAMS: Hi, my name is Forest Williams.
24 I'd first like to thank the members for taking time, and
25 also I'd like to welcome our Counsel General from Australia,

T004-18.5

T004-18.5

"Santa Clara Valley" in Section 4.20.3.8 describes cumulative impacts to habitat and species along the Santa Clara River.

T004-19

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T004-19

1 thank you for coming.

2 I'm a long-time Ventura County resident. I'm also
3 a business owner in the Malibu area, and I'm also a degreed
4 engineer.

5 It's important that we are having these
6 discussions surrounding the EIS/EIR, that we not lose sight
7 of the fact that this is about the impact to the
8 environment.

9 As has been observed many times in war, truth is
10 usually the first casualty. I think that when it comes to
11 discussing any project of this magnitude, sometimes
12 political pressures and business relationships distort the
13 process.

14 So my main purpose in coming tonight is to enjoin
15 the members here to ensure that the process focuses on the
16 best solution not only for the business needs of California,
17 and the western states, but also on the environmental
18 realities as we try to move forward in an era where we have
19 to ensure a safe, clean power source, but at the same time
20 acknowledging that there are real environmental tradeoffs
21 between this proposal and others that are coming from other
22 quarters.

23 Thank you.

24 MODERATOR MICHAELSON: Thank you.

25 The next speaker is Jillena Eifer.

1 MS. EIFER: Hi, my name is Jillena Eifer, I'm a
2 local resident of the Valley, here.

3 I just have a brief comment that when you compare
4 the Cabrillo Port to other LNG projects, the officials at
5 the BHPB definitely have a better feel for the public
6 of -- I'm sorry, for the pulse of Californians.

7 We love our coastline and want to protect it. We
8 have to do away with permanent structures, like oil
9 platforms, not build new ones.

10 It's great that BHP has decided to put this
11 project far out at sea, where no one can really see it.

12 And in addition to helping the beautification of
13 our coastline, it's also going to provide a lot of jobs for
14 my family members and our neighbors.

15 So thank you for taking public comments today.

16 MODERATOR MICHAELSON: Thank you very much.

17 Sydell Stokes.

18 MS. STOKES: Good evening, thank you for taking
19 testimony here, tonight. My name is Sydell Stokes.

20 MODERATOR MICHAELSON: Can you speak a little bit
21 closer to the mike?

22 MS. STOKES: Okay, is that better?

23 MODERATOR MICHAELSON: Yeah, as close as you can
24 get.

25 MS. STOKES: Okay. All right. Yes, my name is

COMMENTS
T004-20

T004-20

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTS
T004-21

1 Sydell Stokes, I live here, in Santa Clarita, and I've been
 2 jotting down some notes since the start of tonight, and I
 3 have about four concerns here. And number one, I guess, is
 4 since 9/11 I have, what -- I have adopted a very frightened
 5 attitude, I guess, of safety and sabotage by some terrorist
 6 cells, and I wonder if these ships are out in the water
 7 there, if somebody could hit them, or shoot at them, or
 8 something, and they could start spilling their oil into the
 9 area there at Port Ormund. It's a beautiful area and it
 10 could do a lot of damage. And I would like to know if
 11 there's going to be some kind of security that would protect
 12 the ships that come in there.

13 And two, I want to know who is going to pay for
 14 this pipeline that's coming through.

15 And then, let's see, and I guess three is solar
 16 energy, and I wondered what's happened to it, it seems to
 17 have become a poor, orphaned child here.

18 And that's it, thank you, Sydell Stokes.

19 MODERATOR MICHAELSON: Thank you very much.

20 Larry Mankin.

21 MR. MANKIN: Good evening and thank you for
 22 allowing me to make testimony this evening.

23 My name is Larry Mankin, I'm President and CEO of
 24 the Santa Clarita Valley Chamber of Commerce.

25 As Mr. Harte said, earlier, our Board has not

T004-21.1

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks.

T004-21.1

T004-21.2

Section 4.2.7.3 and Appendix C3-2 contain information on LNG carrier security.

T004-21.3

As discussed in Section 1.2.5, the proposed Project is an investment by a private firm without any funding by public services.

T004-21.2

T004-21.4

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T004-21.3

T004-21.4

T004-22

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T004-22

1 taken a position on this issue, yet. We will on the 14th of
2 December, and at that time I will submit testimony after
3 that session.

4 But I can speak to the Chamber's past policy on
5 energy issues. The Santa Clarita Valley Chamber of
6 Commerce, and its 1,725 business members, which incidentally
7 we're the third largest Chamber in the L.A. Region, has long
8 supported the use of natural gas based upon its clean
9 burning and energy efficient characteristics.

10 Many Chamber members are significant users of
11 natural gas. Thus, on behalf of our members, the Chamber
12 must remain concerned about any future issues regarding
13 natural gas supply and, more importantly, price.

14 We understand that natural gas, like electricity
15 and other commodities, can increase in price when supplies
16 are tight.

17 The Santa Clarita Valley, like the rest of
18 California, has experienced some of the negative impacts
19 that can occur when prices rise due to inadequate supply.

20 We don't want to see the recent experience of
21 electricity price increases and shortages occur, in the
22 future, with natural gas.

23 Thus, increasing our natural gas supply options
24 just makes good business sense.

25 Based on the environmental documents released by

1 both the federal and State agencies, this project appears to
2 be an environmentally responsible natural gas supply project
3 that will be very important for California and, more
4 importantly for us, the Santa Clarita Valley.

5 This facility can deliver needed new volumes of
6 natural gas safely and with minimal environmental impacts.

7 Again, based on the environmental review document,
8 recently released, it appears that this pipeline addition
9 can be constructed with minimal environmental impacts.

10 Thank you for your consideration.

11 MODERATOR MICHAELSON: The next speaker is Alan
12 Sanders.

13 MR. SANDERS: Good evening. I'm Alan Sanders,
14 Conservation Chair for the Sierra Club, Los Padres Chapter.

15 During the scoping part of this process I appeared
16 before representatives of your group a couple of times, and
17 also provided somewhat extensive comments on the scoping,
18 with great hope that this process would lead to a good
19 product on the evaluation of the environmental impacts. And
20 I have to say that I'm very unhappy with the result and,
21 consequently, I'm here tonight to inform you, from our
22 perspective, the environmental document is fatally flawed,
23 needs to be revised, recirculated, and brought back.

24 I can't see that any of the comments that I made
25 regarding biological resources were incorporated into the

T004-23

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T004-23.1

Table 1.4-1 identifies the location where scoping comments are addressed in the document. A Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Sections 1.4.1 and 1.5.3.2 contain additional information on recirculation of the document.

T004-23.2

Sections 4.7 and 4.8 contain additional information on biological resources. Section 1.5.1 contains information on scoping activities for the preparation of the October 2004 Draft EIS/EIR.

COMMENTER
T004-23

T004-23.1

T004-23.2

1 work you did, and I guess that's to be expected given the
2 time frame you have had to work with. This was rather a
3 hurried process, and I believe you have failed to really
4 look at the breadth of significant impacts that occur. And
5 in evaluating some impacts, you've just come to the wrong
6 conclusion as far as the level of significance.

7 A number of people have appeared before you this
8 evening, making comments supportive of using natural gas,
9 and I have to say I have colleagues within the Sierra Club
10 who are supportive of the concept, as well. But all of us
11 need to be concerned about the process, and if the process
12 is flawed, it's going to delay, even further, any movement
13 in that direction.

14 So I think a lot of this needs to be reevaluated.
15 You come to a couple of conclusions in this document that
16 are just not supported. Let me read a small passage. On
17 growth inducing impacts you conclude, "the supply of
18 additional natural gas to Southern California would not
19 likely induce growth in the region, but would serve both the
20 existing and anticipated future demand for natural gas.
21 Cabrillo Port would not be the sole supplier of natural gas
22 to the region. Regional development of infrastructure
23 growth would occur with or without the project."

24 And we're hearing people get up here and support
25 this because they think it is going to be growth inducing,

T004-23.2
(cont'd)

T004-23.3
Section 5.5 contains additional information on this topic.

T004-23.3

1 and they think that's good for the economy. And I don't
2 think that's a fair analysis of what's occurring here.

T004-23.3
(cont'd)

3 I think you can look at the energy that's going to
4 be produced here and come to a completely different
5 conclusion.

6 And the following conclusion that you make, that
7 this is the environmentally preferred project, is just not
8 supported by fact.

9 And we will provide you additional written
10 comments to support that in the near future. Thank you.

11 MODERATOR MICHAELSON: Thank you very much.

12 The next speakers are Michelle Hoffman, Gloria
13 Roman, Emin Anderson, Alenoush Hartenian, and Melony
14 Harootoonian.

15 MS. HOFFMAN: I'm Michelle Hoffman. I lived in
16 Santa Clarita for 30 years. I still have a business and
17 family here. Currently, I am living at Surfside Three. And
18 I hope I made it clear on my statement card, I'm not
19 representing the homeowners association, but I do live right
20 next door to Ormund Beach, where the LNG would be going or
21 arriving.

COMMENTER
T004-24

22 And tonight I'm going to read a letter that was
23 sent to the docket management facility, after your hearing
24 on March 15th. It was written by Dr. Rimmon Fay.

25 "While the consensus of the hearing

1 was directed on the matter of the safety
2 of transport or of storage of LNG, the
3 major aspect should be its alternative,
4 renewable energy. It can be entered
5 into with available resources. It does
6 not compromise the fiscal aspects
7 resulting from balance of payment
8 problems.

9 "Thus, nothing could be more
10 patriotic and consistent with the
11 security of this nation than living
12 within our means by maximizing solar and
13 wind-produced energy, or biomassed
14 produced fuels. The latter are in fact
15 solar fuels that offer the potential for
16 a decline in concentration of carbon
17 dioxide in the atmosphere.

18 "Thus, the alternative of rejection
19 of importation of LNG includes national
20 safety from terrorism and improvements
21 in fiscal prospects for our nation as a
22 whole. The U.S. Coast Guard cannot
23 assure safety of navigation at sea, nor
24 the security of the proposed Port
25 Cabrillo, nor can safety be assured of

T004-24.1

T004-24.1

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T004-24.2

Section 4.2 and Appendix C contain additional and revised information on public safety.

T004-24.2

1 transfer terminals and pipelines.

2 "The sun, at a 93 hundred million
3 mile radius, offers both energy and
4 reliable security."

5 I read this tonight, from Dr. Rimmon Fay, because
6 he's been hospitalized with a series of strokes. And he was
7 a California Coastal Commissioner for 13 years, and is a
8 noted marine biologist, and has done a lot of study in this
9 field. Thank you.

10 MODERATOR MICHAELSON: Gloria Roman.

11 MS. ROMAN: Good evening, gentlemen, lady. My
12 name is Gloria Roman.

COMMENTER T004-25

13 You know, after hearing Michelle's letter, maybe
14 I'm just going to repeat again, so I might just -- I'm
15 reading this from Dr. Rimmon Fay, which she just mentioned
16 that he's hospitalized right now, but after hearing her I
17 think I'm just going to repeat this.

18 So I just want to maybe say something from my own.
19 That I would like to really encourage everyone, especially
20 some of the City Council ladies and gentlemen that I heard
21 here, tonight, speak about this, and their say on this is
22 going to have an affect on the community here and everywhere
23 else.

24 Too, I would like to encourage everyone to really
25 check the background of BHP Billiton's history on the human

T004-25

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 rights and environment. Check it out, it's on the internet.
2 Go into environment, and you will find a lot of
3 information.

4 But I want to submit this.

5 MODERATOR MICHAELSON: Thank you very much.

6 MS. ROMAN: Thank you.

7 MODERATOR MICHAELSON: The next speaker is Emin
8 Anderson.

9 MR. ANDERSON: Good evening. My name is Emin
10 Anderson. I am a local resident of Southern California.
11 I'm going to make this short, just this little paper right
12 here.

13 I'm glad to see that the drawing submitted in the
14 original EIR was mistaken, and that the visual impacts to
15 the shoreline are even less than portrayed.

16 In fact, the aesthetics impact of Cabrillo Port is
17 smaller than that of the guys kite surfing at Zuma Beach.
18 That's the evidence of good planning and responsiveness to
19 the concerns of people who live and play along the
20 coastline. Thank you.

21 MODERATOR MICHAELSON: Thank you.

22 Alenoush Hartenian.

23 MS. HAROOTONIAN: Good evening, it's Melony
24 Harootonian, and I'm a resident as well, and I have a brief
25 statement to make regarding air quality.

T004-26

Section 4.4 and Appendix F contain information on visual resources, impacts, and mitigation. Appendix F describes how visibility from various distances was evaluated and provides additional simulations prepared for viewpoints at elevated sites along the Malibu coastline and inland areas.

T004-27

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

COMMENTER
T004-26

COMMENTER
T004-27

1 Located 14 miles at sea, any air quality impacts
2 caused by the operation of the Cabrillo Port would, it
3 seems, be concentrated at sea.

4 On land, Cabrillo Port will mean more cleaner
5 burning natural gas and more air-friendly electrical
6 generation. Both of which to me are good things.

7 Thank you.

8 MODERATOR MICHAELSON: Excuse me, could I just
9 clarify, you're Melony?

10 MS. HAROOTONIAN: Melony.

11 MODERATOR MICHAELSON: Okay, Harootonian.

12 I had another speaker card for, it looks like,
13 Alenoush Hartenian.

14 MS. HAROOTONIAN: I believe she left.

15 MODERATOR MICHAELSON: She left. Okay, thank you.

16 Have there been anymore cards turned in to speak
17 this evening? If so, if you could bring those forward, now.

18 Before we take a final comment from the applicant,
19 is there anyone else who has not spoken tonight, who would
20 like to? If so, would you please come forward and give us
21 your name and, in this case, if you would spell it for us,
22 please?

23 And were you here when I gave the signals about
24 how to know when the three minutes are up?

25 MS. ANDERSON: I arrived late.

1 MODERATOR MICHAELSON: Okay, great. No, that's
2 fine. When there's one minute left I'll put up my index
3 finger, and when your three minutes is up, I'll put my hand
4 up just like that.

5 Okay, Ileene Anderson, You're up.

6 MS. ANDERSON: Hi, my name is Ileene Anderson, and
7 my affiliation is with the California Native Plant Society.
8 And I just have some brief comments that I'll speak to
9 tonight. I also have written comments to submit tonight, as
10 well.

11 In my review of the document, the draft EIR/EIS,
12 the Native Plant Society feels that this is an incomplete
13 analysis of the impact, because according to page 4.8-36,
14 lines 23 and 24, a comprehensive botanical survey has not
15 been conducted. Therefore, it's not known whether the rare
16 or special status plants along the proposed pipeline route
17 are present.

18 Now, the California Environmental Quality Act,
19 CEQA, as it's fondly known, does not require technical
20 perfection in an EIR but, rather, adequacy, completeness,
21 and a good faith effort at full disclosure.

22 A court does not pass upon the correctness of an
23 EIR's environmental conclusion, but only determines if the
24 EIR is sufficient as an informational document. That comes
25 from a decision, Kings County Farm Bureau versus the City of

COMMENTER
T004-28

T004-28.1

T004-28.1

Subsequent to the completion of the October 2004 Draft EIS/EIR, the Applicant completed surveys of the pipeline rights-of-way in accordance with California Department of Fish and Game protocol. Surveys included a wetland delineation survey that meets the California Coastal Commission and California Department of Fish and Game wetland definition, botanical and wildlife surveys for Federal and State listed species, a wintering waterfowl survey, a burrowing owl survey, and surveys to determine whether any oak trees would need to be removed during construction. Section 4.8 has been updated with the results of these surveys, and Section 4.8.4 contains updated mitigation measures. Additional preconstruction plant and wildlife surveys, specific to the final construction timeline and designated pipeline alignment, would be completed for special status species, federally listed species, or California protected species specified by the USFWS or the CDFG, to minimize the potential for causing mortality of local wildlife. However, for purposes of the impact analyses and resultant mitigation, all relevant species are presumed to exist in the vicinity of the proposed Project.

1 Hanford.

2 Additionally, the EIR is to demonstrate, to an
3 apprehensive citizenry, that the agency has, in fact,
4 analyzed and considered the ecological implications of its
5 action. Again, another court decision from the Department
6 of Public Works versus Bossio.

7 The CNPS does not see an analysis of the
8 ecological implications of this action, based on the lack of
9 on-the-ground surveys, as acknowledged by the document.

10 Therefore, we request that a supplemental EIR/EIS
11 be issued that fully evaluates the environmental conditions
12 along the pipeline routes, and then analyzes them for
13 environmental impacts.

14 The Cabrillo Port Liquified Natural Gas Deepwater
15 Port Draft EIR/EIS is inadequate, from our perspective,
16 because the essential surveys are relegated to pre-
17 construction surveys that are proposed after the CEQA and
18 National Environmental Policy Act, NEPA, document is final,
19 allowing no public review of what the project will actually
20 impact.

21 These impacts cannot be identified because of lack
22 of accurate data and, consequently the mitigations are also
23 impossible to address and evaluate.

24 I'd like to give you one example where I'm very
25 concerned about the adequacy of the document.

T004-28.2

A Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Sections 1.4 and 1.5.3.2 contain additional information on recirculation of the document.

T004-28.2

1 MODERATOR MICHAELSON: You actually only have ten
2 seconds left.

3 MS. ANDERSON: Okay. Well, then I will relegate
4 that to my written comment, which I hope that you consider,
5 because I think the document could be significantly improved
6 and really provide an analysis of what is going to happen.

7 Thank you.

8 MODERATOR MICHAELSON: Thank you very much. So
9 you're going to turn that in. Just turn that in to the
10 court reporter, if you would.

11 I notice Ms. Anderson said she hopes that it will
12 be considered, too. I just want to remind everyone that, in
13 fact, written comments are given the same consideration as
14 oral comments. So please, if you have any additional
15 thoughts that you were not able to include in oral comments,
16 or simply do not like to speak in public, please add those.

17 Is there anyone else who would like to speak
18 tonight, who hasn't had the opportunity?

19 If not, then I would like to ask Rebecca McDonald,
20 representing BHP Billiton, to speak on behalf of the
21 applicant. Thank you.

22 MS. MC DONALD: Thank you. Good evening. My name
23 is Rebecca McDonald, I'm the President of Gas and Power for
24 BHP Billiton. I very much appreciate the opportunity to
25 represent our company, and also to speak on behalf of the

T004-29
Thank you for the information.

COMMENTER T004-29

1 Cabrillo Port Project.

2 I'd like to reinforce our commitment to build a
3 project that will bring significant economic benefits to the
4 community and, at the same time, provide a safe, clean,
5 abundant, and reliable supply of natural gas so necessary to
6 avert another energy crisis here, in California.

7 BHP Billiton is the world's largest diversified
8 natural resources company. Our headquarters are in
9 Australia. We have approximately 35,000 employees, working
10 in more than 100 operations and offices, in 26 countries
11 around the world.

12 BHP Billiton has a positive track record of
13 working with, and giving back to, the local communities
14 where we do business and where our employees live and work.
15 We reinvest millions of dollars each year around the world,
16 and we intend to make a sizeable investment here, in
17 California.

18 The positive economic impact of Cabrillo Port,
19 once it's operational, will exceed \$25 million a year
20 annually to this regional community.

21 Cabrillo Port's location, 14 miles from the
22 nearest shoreline, is designed to minimize disruption to
23 onshore activities, to the people and to the environment,
24 while at the same time enhancing safety.

25 The project will use proven, state of the art

1 technology to limit any impacts at all to land, air, and
2 sea.

3 There will be no onshore storage tanks and the
4 project will not, in any way, utilize or extend the life of
5 offshore oil platforms off the California coast.

6 In fact, Cabrillo Port was designed to have the
7 smallest environmental footprint possible, leaving the
8 Southern California shoreline, its beaches, and its
9 environment clean and safe.

10 As we've heard tonight, the natural gas, in its
11 liquid form, will be brought by ship to the Cabrillo Port
12 facility, and converted back to gas while still offshore,
13 far from any major population center.

14 As natural gas, it will move onshore via
15 pipelines, and then go into the SoCal system, which has been
16 delivering natural gas safely for decades.

17 In addition to being minimally intrusive, Cabrillo
18 Port will have all the safeguards necessary to ensure it
19 meets the conditions of all the agencies responsible for
20 approving the project, but also to meet the expectations of
21 the community and the public.

22 Californians rely on natural gas to heat and cool
23 their homes, cook their food, and energize their businesses.

24 The California Energy Commission and the U.S.
25 Federal Government confirm the increasing demand for natural

1 gas and the decreasing availability of U.S. sourced
2 supplies. They also confirm that conservation and
3 renewables, alone, will not fill the gap.

4 BHP Billiton believes strongly that the Cabrillo
5 Port is the right project, at the right time, to meet this
6 future need.

7 Thank you for your time tonight.

8 MR. PRESCOTT: Thank you very much.

9 MODERATOR MICHAELSON: It's been requested by
10 Mr. Oggins that we allow for second helpings. We have about
11 20 minutes left.

12 MR. PRESCOTT: Yes, if there is anybody who we cut
13 off, who would like to comment further?

14 AUSTRALIAN COUNSEL GENERAL OLSEN: Thank you for
15 the opportunity, and I'll only take 10 or 15 seconds.

16 MODERATOR MICHAELSON: If you could just give us
17 your name again, please?

18 AUSTRALIAN COUNSEL GENERAL OLSEN: John Olsen,
19 Australian Counsel General.

20 One point I would like to make, in response to a
21 number of representations, is that Australia's producer of
22 LNG, the Northwest Shelf, has its own shipping fleet, and
23 its ships do not use flags of convenience. They are four
24 under Australian flags, two British, and two Japanese.

25 I just wanted to clarify the point, seeing a

T004-30.1
Thank you for the information.

COMMENTER
T004-30

T004-30.1

1 number of speakers raised that issue in particular.

2 MODERATOR MICHAELSON: Thank you. Is there anyone
3 else who would like to add to their original comments?

4 Seeing none, I would like to ask if there's anyone
5 on the panel who had any closing comments they would like to
6 make?

7 MR. PRESCOTT: I have no comments. And I just
8 want to say thank you for everyone who came up and spoke,
9 and gave your comments. We're certainly going to take these
10 into consideration, along with the ones that we expect we'll
11 be receiving over the next couple of days of meetings that
12 we'll be holding.

13 With that, if there's --

14 MODERATOR MICHAELSON: I'll just remind people the
15 close of the comment period, for written comments, is
16 December 20th. Correct?

17 MR. PRESCOTT: Thank you. Yes. December 20th.
18 If you are interested in making written comments, there
19 should be information outside this door on how to do so.

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1 MODERATOR MICHAELSON: We're adjourned. Thank you
2 very much.

3 MR. PRESCOTT: Thank you.

4 (Thereupon, the November 29th
5 meeting and public hearing
6 concerning the Cabrillo Port
7 Liquefied Natural Gas Deepwater
8 Port, was adjourned at 8:37 p.m.)

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CERTIFICATE OF REPORTER

I, RONALD J. PETERS, a Certified Shorthand Reporter, do hereby certify:

That I am a disinterested person herein; that the foregoing U.S. Department of Homeland Security, U.S. Department of Transportation, and California State Lands Commission public hearing on the Cabrillo Port Liquefied Natural Gas Deepwater Port was recorded by my staff, thereafter transcribed into typewriting, and personally proofread by me.

I further certify that I am not of counsel or attorney for any of the parties in this matter, nor in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of December, 2004.

Ronald J. Peters

Certified Shorthand Reporter

License Number 2780

Certified Manager of Reporting Services

Registered Professional Reporter

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